

NO. 13-19-00500-CV

IN THE COURT OF APPEALS, FILED IN
THIRTEENTH COURT OF APPEALS, 13th COURT OF APPEALS
CORPUS CHRISTI, TEXAS CORPUS CHRISTI, TEXAS
CORPUS CHRISTI, TEXAS 8/7/2020 12:49:59 PM
KATHY S. MILLS
Clerk

TEXAS AUTO SALVAGE, INC. ET AL.,

Appellants,

V.

D D RAMIREZ, INC. ET AL.,

Appellees.

*On Appeal from the 37th District Court, Bexar County, Texas
Honorable Michael Mery, Presiding
Cause No. 2010-CI-02500*

**UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO
FILE APPELLEES' BRIEF**

TO THE HONORABLE FOURTH COURT OF APPEALS:

Appellees respectfully present this unopposed first motion to extend the time in which to file the Appellees' Brief pursuant to Texas Rule of Appellate Procedure 38.6. No previous motions for extension of time to file the Appellees' Brief have been filed. In support of this motion, appellees would show the Court as follows:

I.

Appellees' response brief is currently due on August 24, 2020. Because of the events and matters described more fully below, appellees request an extension of an additional 30 days in which to file the Appellees' Brief or until September 23, 2020.

II.

The requested extension is necessary because the following matters have prevented the undersigned from completing the Appellees' Brief and will preclude the undersigned from doing so sooner than September 23, 2020:

1. The undersigned is in the midst of preparing a response to the Petition for Review filed in *In the Estate of Ronald Craig Burns*, Deceased, No. 20-0307, in the Supreme Court of Texas;
2. The undersigned is in the midst of preparing a response to the Petition for Writ of Mandamus filed in *In re Michael Andrew Davis and Waterfleet, LLC.*, No. 20-0364, in the Supreme Court of Texas;
3. The undersigned prepared for and attended a lengthy hearing in *Natalie Schwarz v. Harry D. ("Trey") Schwarz, III et al.*, No. 2018-CVG-002345D2, in the 111th Judicial District Court, Webb County, Texas;
4. This appeal involves a voluminous record and arises out of a lengthy trial, which will necessarily require additional time to prepare the Appellees' Brief; and
5. The undersigned has been occupied with efforts to perfect a cross appeal, make record designations, and draft related motions in *Cox Paving of Texas, Inc. v. H.O. Salinas & Sons Paving, Inc.*, No. 03-20-00353-CV, in the Third Court of Appeals, Austin, Texas.

For all of the reasons explained above, counsel for appellees cannot complete the Appellees' Brief by its current due date of August 24, 2020, and needs an additional 30 days in which to do so.

III.

On August 6, 2020, the undersigned conferred with Renee Yanta, counsel for appellants. Ms. Yanta indicated that this motion would not be opposed.

WHEREFORE, PREMISES CONSIDERED, appellees respectfully request that this Court grant this motion for extension of time in which to file the Appellees' Brief, extend the deadline in which to file the brief an additional 30 days up to and including September 23, 2020, and grant such other and further relief to which appellees may be justly and equitably entitled.

Respectfully submitted,

/s/ Samuel V. Houston, III
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ATTORNEY FOR APPELLEES

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing motion was served on August 7, 2020, to the following:

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